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8 *The Bank of New York, as Trustee for the*  
9 *Certificateholders of CWALT, Inc., Alternative*  
10 *Loan Trust 2005-1CB, Mortgage Pass-Through*  
11 *Certificates, Series 2005-1CB*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

12 THE BANK OF NEW YORK MELLON FKA  
13 THE BANK OF NEW YORK, AS TRUSTEE  
14 FOR THE CERTIFICATEHOLDERS OF  
15 CWALT, INC., ALTERNATIVE LOAN  
16 TRUST 2005-1CB, MORTGAGE PASS-  
17 THROUGH CERTIFICATES, SERIES 2005-  
18 1CB,

Plaintiff,

vs.

18 JEAN BIRMINGHAM, MORTGAGE  
19 ELECTRONIC REGISTRATION SYSTEMS,  
20 INC., SFR INVESTMENTS POOL 1, LLC,  
21 PEARL COVE II HOMEOWNERS  
ASSOCIATION, DOE INDIVIDUALS I-X,  
inclusive; and ROE CORPORATIONS I-X,  
inclusive,

Defendants.

Case No.: 2:17-cv-01030-MMD-EJY

**STIPULATION AND ORDER TO STAY  
PROCEEDINGS**

SFR INVESTMENTS POOL 1, LLC,  
  
Counter/Crossclaimant,  
  
vs.  
  
THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF  
CWALT, INC., ALTERNATIVE LOAN  
TRUST 2005-1CB, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
1CB; MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. as nominee  
beneficiary for MIRAD FINANCIAL GROUP;  
JEAN BIRMINGHAM, an individual,  
  
Counter/Crossdefendants.

The Bank of New York Mellon, fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-1CB, Mortgage Pass-Through Certificates, Series 2005-1CB (**BoNYM**), Pearl Cove II Homeowners Association (**HOA**), and SFR Investments Pool 1, LLC (**SFR**), by and through their respective counsel of record, stipulate and agree to stay proceedings for an additional 90 days. In support of such stipulation, the parties represent as follows:

1. On February 11, 2020, BoNYM and SFR filed a notice of settlement. (ECF No. 111).
2. As part of the notice, the parties agreed to stay the litigation for 90 days to allow time for SFR to perform a condition precedent to the agreement.
3. The parties further agreed to the stay to allow BoNYM and the HOA to continue exploring the potential for settlement.
4. Since the court entered the stay, BoNYM and the HOA have reached an agreement, which they are working to finalize.
5. BoNYM and SFR, however, need additional time for performance of the condition precedent to the parties' settlement and anticipate 90 days will be sufficient.

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6. The parties agree to stay proceedings for an additional 90 days, with leave to ask the court to reinstate the parties' respective summary judgment motions within 7 days of the date the stay is lifted.

Dated this 18<sup>th</sup> day of May, 2020.

<p><b>AKERMAN LLP</b></p> <p><u>/s/ Nicholas E. Belay, Esq.</u>  NATALIE L. WINSLOW, ESQ.  Nevada Bar No. 12125  NICHOLAS E. BELAY, ESQ.  Nevada Bar No. 15175  1635 Village Center Circle, Suite 200  Las Vegas, Nevada 89134</p> <p><i>Attorneys for The Bank of New York Mellon  fka The Bank of New York, as Trustee for the  Certificateholders of CWALT, Inc.,  Alternative Loan Trust 2005-1CB, Mortgage  Pass-Through Certificates, Series 2005-1CB  and Mortgage Electronic Registration  Systems, Inc.</i></p>	<p><b>Hall Jaffe &amp; Clayton, LLP</b></p> <p><u>/s/ Ashlie L. Surur, Esq.</u>  ASHLIE L. SURUR, ESQ.  Nevada Bar No. 11290  7425 Peak Drive  Las Vegas, Nevada 89128</p> <p><i>Attorneys for Pearl Cove II Homeowners  Association</i></p>
<p><b>KIM GILBERT EBRON</b></p> <p><u>/s/ Diana S. Ebron, Esq.</u>  Diana S. Ebron, ESQ.  Nevada Bar No. 10580  7625 Dean Martin Drive, Suite 110  Las Vegas, Nevada 89139</p> <p><i>Attorneys for SFR Investments Pool 1, LLC</i></p>	

**IT IS SO ORDERED.**



**UNITED STATES DISTRICT JUDGE**

Case No.: 2:17-cv-01030-MMD-EJY

DATED: May 19, 2020